

**OFFICE OF PROFESSIONAL REGULATION
OF THE SUPREME COURT OF IOWA**



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2017 Report Filing Instructions

This memo provides information regarding your annual reporting duties as an Iowa attorney with respect to the annual continuing legal education (CLE) and client security reports due March 10, 2017.

The professional regulation web site will be ready to accept your annual continuing legal education (CLE) report, your annual client security report, and associated fee payments on December 26, 2016. *Most attorneys, including registered house counsel, will have two separate reports to file - one for the Commission on CLE and one for the Client Security Commission.* Attorneys who are in inactive status with one of the commissions only need to file a report with the commission with which they are active. Attorneys who are in inactive status with both of the commissions will not need to file either report.

Your annual reports must be filed and the associated fees paid by March 10, 2017, to avoid late filing fees. Annual reports must be filed online at the professional regulation web site:

<http://www.iacourtcommissions.org>

A copy of these filing instructions and a tutorial are available at:

[http://www.iowacourts.gov/For Attorneys/Professional Regulation/OPR Announcements Reports/](http://www.iowacourts.gov/For_Attorneys/Professional_Regulation/OPR_Announcements_Reports/)

Quick Filing Instructions: The web address for the professional regulation site is:

<http://www.iacourtcommissions.org>

Your user name / account ID and password are the same as last year, unless you have changed your password or made an official name change in the interim. If you have forgotten or misplaced your password, you should use the "Forgot Password" link on the front page of the site to select a new password. See the instructions below on resetting a password. The staff at the Office of Professional Regulation does not have access to your password if you have changed it. If you have never received your user name and password, you may call the Office of Professional Regulation at (515) 725-8029 to request your password and access instructions. If all else fails, the staff at the Office of Professional Regulation can give you your user name and reset your password for you,

but the process sometimes is not immediate, so you should allow time for this process if it is necessary. Once you have accessed your account on the web site, the basic steps for the annual filing are:

1. Update your personal information [menu item – Maintain Personal Information]
2. Add your CLE classes for the year to your transcript [menu item – Maintain CLE Transcript]
3. File your annual CLE report and pay your fees [menu item – Submit Annual CLE Report].
4. File your annual client security report and pay your fees [menu item – Submit Annual Client Security Report].

How to Reset Your Password:

1. Go to the web page : <http://www.iacourtcommissions.org>
2. Click on "Forgot Password"
3. Click on "Get Lost Password"
4. Use the pull-down to select "Supreme Court Commissions" and then click "Next"
5. Put your user name / account ID in the block entitled "Account ID" and click on "Forgot Password"
6. Enter your answers to the two baseline identity questions, and click on "Continue"
7. If you have not already done so, record your identity baseline questions and answers for future use
8. Follow the remaining screens to set your new password
9. Log out of the A&A Function, and close the browser window
10. Execute a fresh login to the professional regulation page (<http://www.iacourtcommissions.org>), using your new password
11. Record your new password for future use

Fees Payable with the Annual CLE Report: A fee of \$10 for support of the CLE system will be collected with your annual CLE report. The total fees collected with the annual CLE report therefore will be \$10, unless a late filing fee is assessed.

Fees Payable with the Annual Client Security Report: A fee of \$175 for support of the attorney disciplinary system will be collected with the client security report.

Based on the sufficiency calculation performed December 1, 2016, a regular assessment of \$50 for the Client Security Trust Fund will be collected with the client security report from all attorneys and judges who are not exempt from payment of assessments.

The following table shows the total fees payable with the annual client security report for the various classifications of attorneys.

Client Security Status	Fee Payable for Support of Discipline System	Fee Payable to Client Security Trust Fund	Total Fees Payable with Timely Filed Client Security Report
Full-Time Practitioner	\$175	\$50	\$225
Part-Time Practitioner	\$175	\$50	\$225
Government	\$175	\$50	\$225
Corporate	\$175	\$50	\$225
Judge	\$0	\$50	\$50
Military Service	\$0	\$0	\$0
Emeritus	\$0	\$0	\$0
House Counsel	\$175	\$0	\$175
Foreign Legal Consultant	\$175	\$0	\$175
MJP Practitioner	\$175	\$50	\$225
Attorneys Admitted by Examination During 2015	\$175	\$50	\$225
Attorneys Admitted by Examination During 2016	\$175	\$0	\$175
Attorneys Admitted by Examination During 2017	\$0	\$0	\$0
Attorneys Admitted by Motion During 2016	\$175	\$50	\$225
Attorneys Admitted by Motion During 2016	\$175	\$50	\$225

Extensions of Time to File the Continuing Legal Education (CLE) Report: Iowa Court Rule 42.5 authorizes the Commission on Continuing Legal Education to grant waivers of minimum regular CLE requirements or extensions of time in which to fulfill the requirements and file required reports. You may request an extension of time by using the menu item “File for Regular CLE Extension” on your attorney account page. The Commission grants extensions of time when circumstances warrant, but generally does not grant outright waivers of the requirements. You must provide a statement of the hardship or extenuating circumstances upon which your application is based, and a statement of the relief you are seeking. There will be no extension fee if the request is submitted on or before January 15, 2017. A \$25 extension fee will be collected with any regular CLE extension request submitted after January 15, 2017. *An approved extension of time to file the annual CLE report does not extend the time for filing the annual client security report, which must be filed by March 10, 2017.*

Additional Information

New! Preparation Credit for Teaching at Accredited CLE Events: You may claim one hour of preparation credit for each hour of accredited continuing legal education for which you prepare written materials and present, up to a maximum of three (3) hours per calendar year. Preparation credit counts against the regular attendance requirement

of fifteen hours per calendar year, but not against the attendance requirement for legal ethics. Hours of preparation credit in excess of three (3) do not carry over to a subsequent year. Preparation credit may not be claimed if you prepare written materials but do not make the presentation or serve on a panel of speakers; make a presentation or serve on a panel of speakers but do not prepare written materials; prepare a course directed primarily to persons preparing for admission to practice law; or if you receive compensation, other than reasonable expenses, for preparing or presenting the continuing legal education. To claim the preparation credit for CLE presentations you made during 2016, you should use activity ID number 214549. You are entitled to claim normal CLE credit for an event at which you make a presentation also. For example, if you attend all six hours of a six hour CLE event and make a presentation for one hour at that event, you can claim the normal six hours accredited using the activity ID for that event, and you can claim one hour of preparation credit under activity ID 215549. If you make CLE presentations at more than one event during 2016, you may claim preparation credit for all the events at which you present using activity ID 215549, subject to the three hour per year limit. (The activity ID number used to claim preparation credit will change every year – it will be different for CLE presentations you make during 2017.)

New! CLE Reporting by Reciprocity by Attorneys Residing Outside Iowa Who Have No Actual Practice in Iowa: Attorneys who qualify for CLE reporting by reciprocity are still required to log in to their attorney account page during the normal annual reporting period and file a report. They have the option to file the normal annual CLE report, or if they qualify for reporting by reciprocity they may file the reciprocity report in lieu of the normal annual CLE report. An attorney who elects to file the reciprocity report must certify as part of the submission process that he or she meets all of the requirements of rule 41.9. The attorney must specify the number of CLE hours and ethics hours claimed by reciprocity for the reporting year. (Hours must be calculated using a 60 minute clock-hour. Attorneys in states that use a 50 minute clock-hour will need to calculate the number of approved hours by dividing the total number of instruction minutes by 60.) This permits normal CLE calculations, including carryforward hours, to facilitate movement back and forth between the regular CLE report and the reciprocity report from year to year. In addition, the attorney must pay the normal annual CLE administrative fee (currently \$10), and any late filing fees that might apply. The attorney's answers to the qualification questions and overall certification are captured in the database. It is possible for the attorney or the OPR staff to generate a pdf edition of that report, based on the captured data elements, just as the normal annual CLE report for a given year can be generated for any year in which a normal report is submitted.

Assessment for the Client Security Trust Fund: A sufficiency calculation for the Client Security Trust Fund was performed December 1, 2016, as required by Iowa Court Rule 39.6(3). Because that calculation showed an unencumbered fund balance exceeding the sufficiency threshold of \$900,000 set in rule 39.6(3), no *special* assessment for the fund will be collected during 2016. However, a *regular* assessment of \$50 is payable during 2017 by all attorneys and judges not exempt from assessments based on their client security status. Only attorneys in the client security statuses of military service, emeritus, house counsel, foreign legal consultant, and new attorneys in their first and second years of admission by examination are exempt from payment of annual assessments for the fund.

Ethics Requirement: The ethics requirement is three hours every ethics biennium. The 2016-2017 ethics biennium ends December 31, 2017. Sometime during 2016 and 2017, you need to attend at least three hours of accredited legal ethics. (Ethics hours attended during the 2014-2015 biennium do not carry forward for use in the 2016-2017 ethics biennium.) Although instruction tailored for attorneys regarding mental health or substance abuse is eligible for ethics credit, there is no requirement that any part of the three ethics hours per biennium be devoted to the mental health or substance abuse topics.

Six Hour Limit on Credit for Unmoderated CLE Events: A maximum of six hours may be claimed each year for events accredited as *unmoderated* CLE, including on-demand webcasts. The six hour limit does not apply to moderated events, such as live telephone conferences and live webcast events. See Iowa Court Rule 42.1 (defining *unmoderated* and *moderated* CLE activities). The online filing system will automatically apply the six hour limit when you file your annual report.

CLE Requirement for Registered House Counsel: Attorneys registered as house counsel did not have a CLE attendance requirement during 2012 and prior years. Beginning January 1, 2013, registered house counsel have the same CLE attendance requirements as other active attorneys. Registered house counsel should have attended at least fifteen hours of CLE during 2016. Registered house counsel are required to file an annual CLE report due March 10, 2017, along with an annual client security report.

Client Security Report Includes Optional Questions Regarding Pro Bono Activities: The annual client security questionnaire includes questions regarding support of pro bono activities. These answers may be answered in the negative or by selecting the response "Decline to Answer."

Consolidated Payment of Fees by Law Firm or Other Employer: It is possible for a law firm or other employer to make a consolidated online payment of the client security and continuing legal education fees owed by the firm's attorney employees. There is no additional charge to an employer for online payment of fees on behalf of its attorneys. If a firm elects to use the online law firm fee payment capability, the firm must instruct its attorneys to wait to file their annual reports until after the firm has paid their fees for the year on their behalf. After the firm has paid the fees shown due for them, the attorneys will be able to file their annual reports online and no additional fee will be payable by them incident to the report filing, unless they file their reports late and a late filing fee is assessed. To get set up or for more information, contact the OPR staff at telephone (515) 725-8029 or by e-mail to cle@iowacourts.gov.

Late Reports: A penalty of \$100 will be assessed for each report filed up to one month late, \$150 for each report filed more than one month and up to two months late, and \$200 for each report filed more than two months late. The notice period prior to suspension for noncompliance is 15 days. Emailing or faxing a report does not constitute filing. Filing deadlines will not be extended for an attorney who encounters a system difficulty or other technical issue shortly before the filing deadline.

Certificates of Exemption: If you do not practice law in Iowa and your present position does not require you to be eligible to practice law in Iowa, you may wish to apply for

certificates of exemption. You may use the menu item “Apply for Certificate of Exemption” on your attorney account page to apply for certificates of exemption.

Duty to Supplement Answers: It is your responsibility to notify the Office of Professional Regulation within 30 days of any change in your name, address, telephone number, employment, email address, or trust account information. Please submit changes in your personal information using the “Maintain Personal Information” menu item on your attorney account page.

Advice Regarding CLE for Attorneys Admitted During 2016: If an attorney admitted during 2016 attends any hours of accredited CLE between his or her date of admission and the end of 2016, all course work attended *and reported* (up to a maximum of thirty hours) can be carried forward to apply against the 2017 requirement. Calendar year 2017 will be the first year that an attorney admitted during 2016 will have to *attend regular CLE*. By the end of calendar year 2017, an attorney admitted during 2016 will need to complete a minimum of fifteen (15) clock hours of accredited activities. An attorney admitted during 2016 will need to complete a minimum of three (3) clock hours of legal ethics credit during the two year period 2016 and 2017. An attorney admitted during 2016 is required to file the annual CLE report for the year ending December 31, 2016 and pay the required assessment even if he or she does not attend any accredited continuing legal education activities in 2016. This report and the associated fee must be filed at the professional regulation website.

Advice Regarding Client Security Reporting for Attorneys Admitted by Examination During 2016: Attorneys admitted by examination during 2016 were required to submit their initial client security report in paper form within thirty days of admission. Attorneys admitted by examination during 2016 must file a second client security report electronically at the professional regulation website on or before March 10, 2017. When this report is filed, the annual disciplinary fee (\$175.00) for support of the disciplinary system will be collected, unless the attorney qualifies for one of the exemptions specified in the rules. When an attorney admitted by examination during 2016 files the report due the year thereafter (in early 2018), the annual disciplinary fee will be collected, plus the attorney will begin paying his or her assessment for the client security fund, unless the attorney qualifies for one of the exemptions specified in the rules.

Advice Regarding Client Security Reporting for Attorneys Admitted by Motion During 2016: Attorneys admitted by motion during 2016 were required to submit their initial client security report in paper form within thirty days of admission, along with the 2016 annual \$175.00 fee for support of the disciplinary system and an assessment for the client security fund. For attorneys admitted on motion during 2016, the next (second) report must be electronically filed at the professional regulation website on or before March 10, 2017. When this second report is filed, the annual \$175.00 fee for support of the disciplinary system will be collected, plus the attorney will continue paying his or her assessment for the client security fund as computed under Iowa Court Rule 39.6, unless the attorney qualifies for one of the exemptions specified in the rules.

Should you have any questions or comments, please contact the Office of Professional Regulation, at (515) 725-8029.